



## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648-XC750]

#### Marine Mammals; File No. 27077

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that WSP Wild Water Productions Limited, St Stephen's Avenue, Bristol, BS1 1YL, United Kingdom, (Responsible Party: Joanna Barwick) has applied in due form for a permit to conduct commercial and educational photography on marine mammals.

**DATES:** Written, telefaxed, or email comments must be received on or before [*insert date 30 days after date of publication in the FEDERAL REGISTER*].

**ADDRESSES:** The application and related documents are available upon written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov).

Written comments on this application should be submitted via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Please include File No. 27077 in the subject line of the email comment.

Those individuals requesting a public hearing should submit a written request via email to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). The request should set forth the specific reasons why a hearing on this application would be appropriate.

**FOR FURTHER INFORMATION CONTACT:** Carrie Hubbard or Erin Markin, Ph.D., (301) 427-8401.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C.

1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The applicant proposes to film gray whales (*Eschrichtius robustus*) feeding on shrimp in the intertidal zone of Puget Sound, WA. The filming is for a natural history television series, which follows the journey of rivers from source to sea. Up to 180 gray whales may be harassed during filming from vessels, land, unmanned aircraft systems, and snorkelers. If encountered, 70 of each of the following species may be filmed and unintentionally harassed: killer whales (*Orcinus orca*; west coast transient stock), harbor porpoise (*Phocoena phocoena*), California sea lions (*Zalophus californianus*), Steller sea lions (*Eumetopias jubatus*), and harbor seals (*Phoca vitulina*). The permit would expire on May 31, 2024.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the *Federal Register*, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: February 3, 2023.

Julia M. Harrison,  
Chief, Permits and Conservation Division,  
Office of Protected Resources,  
National Marine Fisheries Service.

